

5 stance is held invalid, it shall not affect the application of such pro-
6 vision to persons or circumstances other than those as to which it is
7 invalid.

1 SEC. 19. The council of any municipal corporation owning and
2 operating a transit system under this Act may order the proposition
3 of disposing or selling the system submitted to a regular municipal
4 election or may call a special election for the purpose of voting on such
5 proposition, or the council shall order such proposition submitted at
6 an election upon the petition of twenty-five (25) property owners of
7 each voting precinct in said municipal corporation. Provided, how-
8 ever, that before such proposition shall be submitted to such election
9 that all bonds and other obligations of the transit system shall have
10 been paid or suitable provision for payment of same has been made
11 with the bond holders or other creditors.

12 The form of the question submitted to the electors shall be as fol-
13 lows: "Shall the city or town of.....sell and dispose of its
14 transit system for.....dollars and abolish its board
15 of transit trustees?"

16 Notice of such election shall be given as provided for in section
17 five (5) hereof.

1 SEC. 20. Amend section four hundred four point ten (404.10),
2 Code 1954, by adding a new subsection thereto as follows:

3 "14. To operate and maintain a transit system and to create a
4 reserve fund therefor."

Approved May 9, 1955.

CHAPTER 197

MUNICIPAL SPECIAL ASSESSMENTS

S. F. 121

AN ACT to amend section three hundred ninety-one A point eighteen (391A.18), Code 1954, relating to optional court confirmation in connection with special assessment of public improvements in cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred ninety-one A point eighteen
2 (391A.18), Code 1954, is amended by striking all of subsection three
3 (3) and inserting in lieu thereof the following:

4 "Notice of the filing of such petition shall be given in the same form
5 and manner as is provided for service of original notice by publication
6 by the rules of civil procedure, except as follows:

7 a. No affidavit of inability to effect personal service within the state
8 of Iowa as a condition precedent to the service of original notice shall
9 be required.

10 b. The original notice shall name as defendants those property own-
11 ers, shown by the records of the county auditor as of the date of the
12 filing of the petition, as having an interest in the real property to be
13 assessed as a part of this said public improvement, and said original
14 notice shall state that a plat and schedule in form and content as speci-

15 fied in section three hundred ninety-one A point eight (391A.8) and
 16 three hundred ninety-one A point ten (391A.10) is on file in the office
 17 of the clerk of the district court where action is pending. Publication
 18 of plat and schedule as part of original notice shall not be required nor
 19 shall reference in the original notice to specific descriptions of affected
 20 real property or the amount of proposed assessment thereon be
 21 necessary.”.

Approved March 17, 1955.

CHAPTER 198

SEWAGE DISPOSAL CONTRACTS

H. F. 532

AN ACT to provide that a city or town with a sewage disposal plant may enter into contracts with certain boards, persons and firms outside the corporate limits for the processing of sewage and to provide for the use of public highways in connection therewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any city or town with a sewage disposal plant may
 2 enter into contracts with persons or firms outside the corporate limits
 3 thereof for the processing of sewage of such persons or firms provid-
 4 ed that the rate for processing shall not be less than that charged the
 5 inhabitants of such city or town.

1 SEC. 2. Any city or town entering into such a contract shall have
 2 the right to lay sewer lines in highways outside such city or town
 3 upon first obtaining the permission of the state highway commission
 4 in the case of primary roads and the board of supervisors in case of
 5 secondary roads on written application designating the particular
 6 highway and part thereof, the use of which is desired.

1 SEC. 3. Any board, as defined in section four hundred fifty-five
 2 point four (455.4), may by contract permit any city or town to dis-
 3 charge adequately treated sewage into drainage ditches. The con-
 4 tract shall fix the rental, make provision for termination, and shall
 5 provide that no nuisance shall be created.

1 SEC. 4. This Act being deemed of immediate importance shall
 2 take effect and be in force from and after its publication in the Iowa
 3 City Press Citizen, a newspaper published in Iowa City, Iowa, and
 4 in the North English Record, a newspaper published in North English,
 5 Iowa.

Approved April 15, 1955.

I hereby certify that the foregoing Act, House File 532, was published in the Iowa City Press Citizen, Iowa City, Iowa, April 21, 1955, and in the North English Record, North English, Iowa, April 21, 1955.

MELVIN D. SYNHORST, *Secretary of State.*